

MOTION BY SUPERVISORS HILDA L. SOLIS AND
SHEILA KUEHL

September 10, 2019

Support S. 1733 – Protecting Families and Improving Immigration Procedures Act

The County of Los Angeles (County) is opposed to the Federal Administration’s (Administration) relentless and cruel actions to separate immigrant families, as well as to the inhumane and unsafe detention and treatment of immigrant children and families seeking safety in the United States.

On September 3, 2019, the Los Angeles County Board of Supervisors passed a motion to oppose the Administration’s final rule that would terminate the 1997 Flores Settlement Agreement (FSA), a longstanding court order that limits the detention of migrant children to 20 days. The FSA also requires the Federal government to release children from immigration detention without unnecessary delay to their parents, other adult relatives or licensed programs. The rollback of the FSA protections would allow Federal immigration authorities to detain children and families indefinitely while their immigration case is pending. The act of detaining families with children in facilities designed for adults for prolonged periods of time is indefensible. Countless medical

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SOLIS	_____
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and mental health experts, including the American Academy of Pediatrics, have stated that such prolonged detention of children results in irreparable trauma and negative health outcomes.

In addition to opposing the Administration's harsh detention practices of immigrant families and children, the County is deeply concerned about the wellbeing of unaccompanied immigrant children who come to the United States. Unaccompanied undocumented children face many challenges when navigating our complex immigration system. If they cannot afford an attorney or are not able to secure pro bono counsel, unaccompanied children have to appear in immigration court and defend their cases without legal representation. In June 2018, there were reports of children, as young as three, appearing in court by themselves to plead their cases to stay in the U.S., which in most situations resulted in the denial of their cases. According to data from Syracuse University's TRAC Immigration database from 2014, a child who does not have legal representation is more than four times more likely to receive a removal order than a child who is represented.¹

The U.S. immigration court system is understaffed with a backlog of over 975,000 immigration cases nationally and over 173,000 cases in California for Fiscal Year 2019.² New asylum applications and other claims continue to increase, creating long delays with families remaining in limbo in the United States for years while they wait.

On June 5, 2019, Senator Dianne Feinstein introduced S. 1733, which would

¹ Syracuse University TRAC Database – "New Data on Unaccompanied Children in Immigration Court" <https://trac.syr.edu/immigration/reports/359/>

² Syracuse University TRAC Database – "Immigration Court Backlog Tool" https://trac.syr.edu/phptools/immigration/court_backlog/

prevent the separation of immigrant families by limiting the circumstances under which children can be removed from an immigrant parent's custody; set forth policy for relocating separated children with a parent or legal guardian; require that families be detained in compliance with the Flores Settlement Agreement; render any regulation that supersedes the Flores Settlement Agreement as null and void; provide unaccompanied undocumented minors with Government-appointed counsel for removal proceedings or appeals; and direct the U.S. Department of Justice to increase the number of immigration judges to adjudicate immigration legal cases.

Consistent with Los Angeles County's fight against the Administration's anti-immigrant policies, the County must continue its efforts toward ensuring that immigrant families and children are treated humanely and receive the proper aid and support, regardless of their immigration status.

WE THEREFORE MOVE that the Board of Supervisors

1. Direct the Chief Executive Officer Legislative Affairs and Intergovernmental Relations to support S. 1733 (Feinstein) and related legislation that prohibits the Federal government from separating immigrant families, prohibits indefinite detention of immigration children, opposes terminating the protections established under the Flores Settlement Agreement, provides more immigration judges, and provides legal counsel to unaccompanied undocumented minors.

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